

AGENDA FOR THE CITY COUNCIL
JUNE 4, 2024

PUBLIC HEARING

PUBLIC COMMENT

LAI D ON THE TABLE

1. -- The Committee on Finance to whom was referred an order That the City Council conduct a comprehensive study of employee safety for the benefit of our Holyoke municipal employees and our taxpayers. The City Council should invite in the Personnel Director, our Workers' Comp representatives, Mayor, law department, department heads, union leadership, and others as needed to gather all of the information we need to study the root causes of employee injuries, how they are handled, how are they mitigated, how are we handling risk management to avoid future losses. Our goal should be to keep employees safe, reduce lost hours, productivity and overall cost to the city. We need to collect all relevant data including a prior 3 year report tracking injury claims, workers' comp claims, injured on duty claims, and related. Ideally, the City Council will produce a report within 6 months on its findings in conjunction with all key stakeholders.
Recommended that the order be given a leave to withdraw.
2. The Committee on Public Safety to whom was referred an order that the city creates a Certificate of Occupancy program that works to inspect rental units in order to acquire the certificate. Certification is based on passing State Safety and Sanitation Codes on a regular basis (not more than 3 year cycles, less for continuously problematic properties) for properties with 3 or more units. Send to Public Safety.
Recommended that the order be given a leave to withdraw.
3. The Committee on Public Safety to whom was referred an order That the board of health/ health Commission please be invited to attend to discuss if changes are possible to the changes to the Tobacco license issuance policy that supports common sense economic growth on a case by case basis and also protects public health. That they also please discuss syringe access and whether common sense changes can be made.
Ex: 1 for 1 exchange
Recommended that the order be given a leave to withdraw.
4. -- The Committee on Public Safety to whom was referred an order that the Cannabis Commission create a regulation that retail marijuana products be required to have a health safety warning. This is needed in light of studies showing significant medical emergencies among children and adolescents as well as adults, due to marijuana use.
Recommended that the order be given a leave to withdraw.
5. -- The Committee on Public Safety to whom was referred an order The DPW and Mayor locate public spaces where trash and recycling receptacles can be placed and maintained. This should start off as a pilot program and it will require funding and management to ensure the debris/recycling bins are maintained but hopefully it will be a

success and Holyoke can expand its scope.

Recommended that the order be given a leave to withdraw.

6. -- The Committee on Public Safety to whom was referred an order that Order that the public safety committee invite in the water dept to discuss and address the water issues on Michelle lane.
Recommended that the order be given a leave to withdraw.
7. -- The Committee on Public Safety to whom was referred an order that the Board of Health, Community Development, and Mayor do a survey of City Hall and the annex building in order to prioritize the top needs for improvements of the two buildings (I.e. elevators, mold removal, carpets, etc).
Recommended that the order be given a leave to withdraw.
8. -- The Committee on Public Safety to whom was referred an order City Engineer review options to improve road safety at Queen and Cherry St. Issue: trucks exiting Queen St. are seen driving over the median strip and making an illegal left-hand turn onto Cherry St. (Rt. 202-South)
Recommended that the order be given a leave to withdraw.
9. -- The Committee on Public Safety to whom was referred an order that the city council invite the Mayor, Community Development, Parks & Recreation Department as well as Public health to a Public Safety committee meeting to discuss developing so form of community coalition around addressing homelessness, substance abuse, and youth programming.
Recommended that the order be given a leave to withdraw.
10. -- The Committee on Public Safety to whom was referred an order That the City/DPW/Public Safety Committee review and determine how to close Wyckoff Ave from Northampton Street, similar to that on 202.
Recommended that the order be given a leave to withdraw.
11. -- The Committee on Public Safety to whom was referred an order that a camera be placed on Homestead Avenue to be used to enforce "no truck traffic after 8PM."
Recommended that the order be given a leave to withdraw.
12. -- The Committee on Public Safety to whom was referred an order The city engineer review the signaling at the Maple St / South St. / Parenteau Dr intersection. Multiple accidents and near-accidents have occurred there over the years as motorists from Maple St turn Left against oncoming traffic on South St (heading downtown). The intersection is proximate to the former Whole Donut and the Fitzpatrick Ice Rink. Refer to Public Safety with copy to City Engineer.
Recommended that the order be given a leave to withdraw.
13. The Committee on Charter and Rules to whom was referred an order That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation "Establishing an Appointed Treasurer for the City of Holyoke" in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition. "An Act Establishing an

Appointed Treasurer for the City of Holyoke” – This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

Recommended that the order be adopted, amending "five (5) years" to "three (3) years," amending "may be established" to "shall be established," and removing the clause, "elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer"

14. The Committee on Charter and Rules to whom was referred an order that the Joint City Council and School Committee have a standing order to report to the City Council on meeting topics originating from the School Committee.
Recommended that the order be adopted.
15. The Committee on Charter and Rules to whom was referred an order amend Rule 6E by adding the following: that no member of the City Council shall make references to or about another member but in respectful terms whether inside or outside the City Council Chambers including on social media.
Recommended that the order be referred to the full Council without recommendation.
16. The Committee on Charter and Rules to whom was referred an order add a new Rule 6G that no member shall make any external statements, social media posts, or texts regarding City Council business during any meeting of the City Council or its committees in the spirit of the open meeting law.
Recommended that the order be adopted..
17. The Committee on Charter and Rules to whom was referred an order That City Council rule 9 (Committees) Section (P) be amended to change 45 days to 60 days. New language: All orders sent to any subcommittee be acted upon (taken up, not disposed of) within 60 days shall be deemed tabled.
Recommended that the order be given a leave to withdraw.
18. The Committee on Charter and Rules to whom was referred an order that City Council Rule 9P be modified to add: Only those items that are reasonably expected to be taken up at the meeting (per open meeting law) will be published on the meeting agenda. Items “deemed tabled” by virtue of their existence in the committee jacket for 45 days will not be published on the active agenda. Listing every item in the entire committee jacket on every agenda will create confusing agendas for Councilors and the general public when the vast majority of items will never be considered at that meeting and create the false impression that they will be. This will create an absurd result that appears to be a violation of the Open Meeting Law.
Recommended that the order has been complied with.
19. The Committee on Charter and Rules to whom was referred an order that City Council rule 10.D be revisited in discussion. D. Every month the City Council invite in a Holyoke School Student to lead in the Pledge of Allegiance.

Recommended that the order be referred to the Joint City Council and School Committee

20. Vacon- ORDER: trim the low branches on two city trees across from #88 Meadowbrook Rd. The low branches are hitting vehicles and causing drivers to move into the wrong lane.
21. Bartley- That certain city departments review two matters proximate to 61 Lawler St: (a) City Forester inspect the tree to see if it needs to be trimmed or removed; (b) the DPW take corrective action to fix the raised sidewalk. Receive, Adopt and Refer. Send to Public Safety for a follow-up.
22. Bartley- City Forester and Conservation Commissioner please review the tree belts in Elmwood to suggest places for new plantings. Several constituents are requesting them throughout the Ward. Refer to these departments and DCR (Sarah) for a follow-up at a future Public Safety meeting. Our goal is to have many new trees planted in the Fall of this year.
23. Bartley, Ocasio- The City determine a more efficient manner to remove Handicap/Disability signs. Perhaps a database should be maintained by the Clerk. City addresses with Handicap/Disability signs in front of a parcel's address should maintained and made public. Further, for example, on an annual basis, each addressee with such a sign should be notified and must affirm whether or not the sign should remain. Refer to Ordinance for a follow-up.
24. Bartley- The conservation commissioner be invited to attend a future DGR meeting to provide an update on the construction in and around Scott's Tower. Please be prepared to address the issue of water run-off to the pond owned by the abutter at 5 Lindor Heights. Refer to DGR and Conservation Commission.
25. Givner- Order that upon constituent request, that a stop sign be placed at the corner of where Larkin and Willow St. meet.
26. Rivera I.-Order that representatives of the Water Department come in to DGR and elaborate on processing fee attached to payment when using a credit/debit card when processing payment. Constituents have raised concerns on how much they are being charged on top of their water bill.
27. Rivera I- Order that representatives of the Holyoke Public Schools and STCC (specifically Dean tech) come into DGR and elaborate on the "After Dark" programming that will be soon launching at the Dean Tech school site.
28. Rivera I.- Order that Parks and Rec, along with the school department come into Public Safety to discuss the management and maintenance of parks that are on school property. There has been much confusion as to who is responsible for what and it is important for the city get a formal understanding so that we are able to better fund things are needed.
29. Rivera I.- Order that Health Commissioners representing the board of health come into DGR and discuss the Tobacco license issuance policy and how it may or may not align

with the city's economic development plans around supporting small business growth and tourism.

30. Rivera I.- Order that DPW and Sewer put together a study and present on the potential benefits of adopting a sewer maintenance program similar to the one run at the Water Department.
31. Rivera I.- Order that Members of the parks & Rec Commission be invited in to Public safety to discuss plans around Springdale park as well as what the plans or if any support is needed in potential park improvement throughout the city.
32. Jourdain- Ordered, that DPW and Suez provide the City Council with a status report on city street sweeping It feels like we are behind schedule and this should have already been largely complete. Please advise as to what percentage of the city is fully complete and what is the schedule to complete the remainder.
33. Jourdain- Ordered, that the Building department come to the Public Safety committee to discuss the new inspection initiative for 3+ family homes and the implications for owners. A general notice to owners should be published on Building dept and City Council website inviting them to attend the meeting if they wish to give feedback.
34. Rivera I.- Order that the city put out an RFP to do a study on our finances, specifically focusing on tax revenue brought in and how it is spent throughout the community. This analysis is important in order for the city to have a better understanding of how much tax money is allocated in different parts of communities vs the subsidization of state and federal funding.

COMMUNICATIONS

35. From Mayor Joshua Garcia, letter reappointing Jonathan Moquin of 195 Brown Ave., to serve as a Commissioner of the Parks and Rec. Mr. Moquin will serve a three year term expiring June 30, 2027.
36. From Mayor Joshua Garcia, letter appointing Mr. James P. O'Connell of 25 Brookline Ave. to serve on the Recycling Advisory Committee. Mr. O'Connell will replace Ms. Markeysha Dawn Davis and will serve the remainder of her term expiring August 1, 2026.
37. From Mayor Joshua Garcia, letter reappointing Paul Burns-Johnson of 15 Steven Dr. to serve on the Board of Appeals. Mr. Burns-Johnson will serve a three-year term expiring July 1, 2027.
38. From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes from the May 7, 2024 meeting.
39. From Attorney Jane Manttolesky, letter regarding small wireless facilities ordinance
40. From Board of Public Works, communication regarding Councilor's coments

41. From City Council appointee Daniel O'Sullivan, Quarterly Update on Holyoke Media Board
42. From Olivia Mausel, National Register nomination, Central Churchill Historic District
43. From Board of Fire Commissioners, minutes from the April 29, 2024 meeting
44. From Local Historic District Commission, minutes from March 21, 2023 and April 18, 2023 meetings
45. Grant Report- EMPG-FY23-Fund-FIR1415-Closing-of-Grant.pdf

PETITIONS

46. Petition of Blue Fox Brands, Inc. for a special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.
47. Petition of Edwin Colon of 23 Springdale Ave for a Street Vendor License to be located at the Gas Station on Berkshire and Main St.
48. Petition of Open Square Realty LLC for a Multi Family Dwelling at 4 Open Square Way

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

MOTIONS, ORDERS AND RESOLUTIONS

49. Bartley- The DPW provide an update on resurfacing projects in W-3 and citywide: essentially where and when will they take place. It would be interesting to know the name of the vendor and the associated costs for each street. In particular, homeowners on Homestead Av and Judith St are seeking to coordinate homeowner projects for their properties with the City's resurfacing. Please send communication to city council administrative assistant by the end of June and please contact the W-3 city councilor to meet on site to review.
50. Bartley- The dpw look at water runoff on Argyle Ave and offer suggestions for improvement. Please contact W-3 councilor to meet on site.
51. Devine- ORDERED: that the City Council reconsider and then rescind their vote of May 21, 2024 on agenda item #25 filed by Jourdain, Vacon, Devine, Sullivan, Bartley and Greaney re: pending HOUSE No. 2747 , an ACT granting a local option for a real estate transfer fee to fund affordable housing.
52. Devine- ORDERED that the Mayor consider appointing an Affordable Housing Commission using the guidelines in proposed HOUSE BILL 2747 (An Act granting a local option for a real estate transfer fee to fund affordable housing)
53. Devine- ORDERED: That the DGR Committee invite in Representative Duffy and Senator Velis to clarify if there is a difference between the Affordable Homes Act and the 2% real estate surcharge we voted on Tuesday 5/21. If this surcharge on real

estate is contained in the Affordable Homes Act, then ordered that our vote taken on 5/21/2024 be rescinded.

54. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, FOURTEEN THOUSAND EIGHT HUNDRED THIRTY EIGHT AND 34/100 Dollars (\$14,838.34) as follows:

FROM:

12101-51105 SERGEANTS \$6,995.44

12101-51107 PATROLMEN 7,842.90

TOTAL: \$14,838.34

TO:

12101-51180 INJURED ON DUTY 5-11-2024 \$14,838.34

TOTAL: \$14,838.34

55. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, SEVENTEEN THOUSAND NINE HUNDRED EIGHTY SIX AND 29/100 Dollars (\$17,986.29) as follows:

FROM:

12101-51105 SERGEANTS \$10,143.39

12101-51107 PATROLMEN 7,842.90

TOTAL: \$17,986.29

TO:

12101-51180 INJURED ON DUTY (PAYROLL 5-25-2024) \$17,986.29

TOTAL: \$17,986.29

56. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, NINE THOUSAND AND 00/100 Dollars (\$9,000) as follows:

FROM:

11751-51223 OPED-DEVELOPMENT SPECIALIST \$9,000

TOTAL: \$9,000

TO:

11751-53010 OPED-OTHER CONTRACTED SERVICES \$9,000

TOTAL: \$9,000

57. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, SIXTEEN THOUSAND THREE HUNDRED AND 00/100 Dollars (\$16,300) as follows:

FROM:

12101-51312 HPD-SNOW REMOVAL OVERTIME \$6,300

12101-51915 HPD-EDUCATION PLAN 10,000

TOTAL: \$16,300

TO:

12101-51321 HPD-SPECIAL EVENTS OVERTIME \$16,300

TOTAL: \$16,300

58. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY ONE THOUSAND AND 00/100 Dollars (\$21,000) as follows:

FROM:
12101-51107 PATROLMEN \$21,000
TOTAL: \$21,000
TO:
12102-52100 ENERGY \$21,000
TOTAL: \$21,000

59. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY ONE THOUSAND AND 00/100 Dollars (\$21,000) as follows:

FROM:
12101-51107 PATROLMEN \$21,000
TOTAL: \$21,000
TO:
12102-52100 ENERGY \$21,000
TOTAL: \$21,000

60. Devine- ORDERED that the City Council give a proclamation to Captain Denise Duguay for 31 years of dedicated service to the City of Holyoke.
61. Givner- Per resident request, please remove handicap sign from 204 Oak St, for Ms. Josephine Rivera. She will no longer need it. Ordinance, Copy to DPW
62. Jourdain- That the City Treasurer please provide the City Council with a review and analysis of the Pacific Legal foundation report (<https://homeequitytheft.org/massachusetts>) that states that \$83,000 in home equity from 13 Holyoke homes was inappropriately taken from our residents pursuing Holyoke property tax liens. Please provide us the details on these 13 properties and how this could happen to Holyoke residents; including the names of any entity pursuing our liens. Please advise the City Council if Holyoke has done business with Tallage Davis LLC. Please notify the City Council if proper safeguards are in place so we only collect back taxes and not allow the city or anyone purporting to be acting on our behalf to take residents' home equity.
63. J. Rivera- Order to request the installation of a three-way stop at the intersection of Chestnut and Suffolk Street. Recent incidents of accidents and near-misses in the vicinity highlight the urgent need for enhanced traffic control measures in this area.

64. Vacon- ORDER: that the law department issue a compliance letter to JB Hunt company regarding the need to comply with the truck restriction hours on Homestead Avenue.
65. Vacon- ORDER: That lights be added to the STOP sign (and a larger stop sign be placed) at the Keyes & County Rd. intersection to increase visibility. There have been accidents at the Keyes/County and (Whiteloaf/Southampton) intersection.
66. Vacon- ORDER: Please clear the obstructed traffic signs on County Rd (intersection sign) and Westfield Rd (going toward Holyoke). They are overgrown by tree branches and constituents are requesting they be cut back.
67. Vacon- ORDER: that temporary speed humps be place on Apremont Highway near Dupuis to help slow traffic. Constituents have requested traffic calming in the area.
68. Vacon- ORDER: please cut back brush on Lower Westfield Rd next to the union building. This is a constituent request.
Sent from my iPhone
69. Vacon- The City of Holyoke amend Zoning Ordinance section 4.3(A)(8) to require a special permit prior to granting permission for this use in all residential districts in the City of Holyoke and no longer allow the use as of right; the special permit is to be issued by the City Council or the Planning Board only after a public hearing.

LATE FILED ORDERS AND COMMUNICATIONS

Addendum:

Per City Council rule 2B, meeting shall end by 10 PM unless an extension is approved by a two-thirds majority of those present. If any items remain, those items will be added to the beginning of the next regular meeting.

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting.

Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law

City Clerk